

## Remarks

This paper is filed in response to the Official Action mailed by the USPTO on April 12, 2007 which provided a three months statutory period of time for reply with no additional fee. With this response, claims 3, 5-6, 8 and 17-18 have been cancelled and claims 7, 14, and 20 have been amended. Claims 1-2, 4, 7, 9-16, and 19-22 remain pending in the case. The amendments to the claims are believed to be fully supported by the specification as filed and do not add new matter. Since this response is filed within the allotted three months statutory period set for response, it is believed that no fee is required. However, should the office deem any fees necessary in insuring that this response is proper, the Office is authorized to deduct any necessary fees from applicants' USPTO Deposit Account No. 13-4125 and to credit any overpayment thereto.

## Claim Rejections – 35 USC 102

The Examiner rejected claims 7, 14, and 17 as being anticipated under 102(b) in view of Donovan et al (1994, US Patent No. 5,322,687). The Applicant has cancelled claim 17, and amended claims 7 and 14 in view of Donovan et al. The amendments to the claims are believed to have obviated the rejection of the claims under 35 USC 102(b) and it is respectfully requested that the Examiner remove this grounds of rejection.

## Claim Objections

In order to overcome the claims rejections, the Applicant has amended to the claims by canceling claims 3 and 5-6 which were asserted by the Examiner to be substantial duplicates of claim 2. Claims 7 and 8 have been rewritten in independent form to include all of the limitations of the two claims. Claim 20 has been amended to be presented in proper dependent form. The limitations to corn syrup, oil, and starch have been deleted without prejudice and the applicant makes no stipulation that corn DNA is not present in these compositions derived from corn. It is believed that the amendments to the claims has obviated the Examiner's objections and it is respectfully requested that the Examiner remove these grounds of objection.

Should any questions arise or if Applicant or Applicant's attorney can facilitate the examination of this application, it is respectfully requested that the PTO contact the undersigned attorney.

Respectfully submitted,

/ Timothy K. Ball, USPTO Reg. No. 42,287 /

---

Timothy K. Ball, Ph.D., Esq.  
Reg. No. 42,287  
800 North Lindbergh Boulevard  
Mail Zone E1NA  
St. Louis, Missouri 63167  
(314) 694-5811  
(314) 694-5311 (facsimile)